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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/690,982

10/22/2003

Robert C. Stowe

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02/25/2008

ALSTON & BIRD LLP

BANK OF AMERICA PLAZA

101 SOUTH TRYON STREET, SUITE 4000

CHARLOTTE, NC 28280-4000

EXAMINER

CHEUNG, MARY DA ZHI WANG

ART UNIT

PAPER NUMBER

3694

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/690,982	<b>Applicant(s)</b> STOWE ET AL.	
	<b>Examiner</b> MARY CHEUNG	<b>Art Unit</b> 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 8-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 14-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of the Claims***

1. Applicant's election of Group I (claims 1-7 and 14-21) with traverse in the reply filed on January 14, 2008 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Thus, the restriction is final. Claims 1-21 are pending. The elected claims 1-7 and 14-21 are examined.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6 and 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groff et al., US 2003/0217018 A1 in view of Vadlamani, US 2002/0161676 A1, and in further view of the applicant admitted prior art.

As to claim 1, Groff teaches a method of allowing a carrier to provide shipping services to a user via one or more Internet associated with said carrier, wherein said user does not have access to the Internet, said method comprising (§ 1, 14, 26):

- providing said user with a network terminal that is configured to access the Internet via a link between said network terminal and an internet service provider (§ 14, 16, 26 and Fig. 1; "*network terminal*" corresponds to the order station 120 in Groff's teaching).

Groff does not specifically teach establishing a billing relationship with said internet service provider such that said internet service provider monitors said Internet access by said network terminal and charges said carrier for said access. However, this matter is taught by Vadlamani as internet service provider (ISP) monitors usage of the Internet and bills the internet subscriber based on the usage of the Internet (§ 4). Furthermore, Groff does not explicitly teach the Internet provides to the user Internet websites. However, Vadlamani teaches this matter (§ 7). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow Groff's teaching to include the feature of ISP monitors usage of the Internet and bills the internet subscriber based on the usage of the Internet, and further include the feature of providing websites to the user as taught by Vadlamani for allowing the ISP better collecting fees from the users and as well as for providing better service to the user.

Groff modified by Vadlamani does not specifically teach restricting said access of said network terminal to said one or more Internet websites associated with said carrier. However, the applicant admitted that it is well known in the art to restrict the user to access certain websites (see § 7 of the applicant's specification). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teachings of Groff modified by Vadlamani to include the feature of restricting users to access certain websites so that the internet subscribers have better control over the users for preventing them to access certain websites.

As to claim 2, Groff teaches said communication link is by wireless transmission (§ 26).

As to claim 3, Groff modified by Vadlamani and the applicant admitted prior art teaches the step of restricting access is performed by said network terminal (see ¶ 7 of the applicant's specification and also see claim 1 above).

As to claim 4, Groff modified by Vadlamani and the applicant admitted prior art teaches the step of restricting access is performed by said internet service provider (see ¶ 7 of the applicant's specification and also see claim 1 above).

As to claim 6, Groff modified by Vadlamani and the applicant admitted prior art further teaches said monitoring of said Internet access comprises monitoring duration of access of said network terminal to said one or more Internet websites (¶ 40-43). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teachings of Groff modified by Vadlamani and the applicant admitted prior art to include the feature of monitoring duration of access of said network terminal to Internet websites as taught by Vadlamani for allowing the ISP better collecting fees from the users.

As to claim 15, Groff teaches providing said shipper with access to a shipping tool on said carrier website that generates a shipping label and delivers said shipping label to a browser associated with said terminal (Fig. 4 and also see claim 1 above).

Claims 14 and 16-19 are in parallel with claims 1-4 and 6; thus, they are rejected for the same rationales.

4. Claims 5, 7 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groff et al., US 2003/0217018 A1 in view of Vadlamani, US 2002/0161676 A1 and the applicant admitted prior art, and in further view of Official Notice.

As to claims 5, 7 and 20-21, Groff modified by Vadlamani and the applicant admitted prior art teaches monitoring quantity usage of internet service (Vadlamani: ¶ 4, 42). The combined teaching does not specifically teach quantity usage is measured by quantity of hits to the one or more Internet websites, or by quantity of data transferred between said network terminal and said one or more Internet websites. The examiner takes Official Notice that it is well known in the art that the quantity usages can be measured by the quantity hits of a website or by quantity of data transferred. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the quantity usage in the teachings of Groff modified by Vadlamani and the applicant admitted prior art to be measured by the quantity hits of a website or by quantity of data transferred so that the ISP can better collecting fees from the users based on the quantity usage.

### ***Inquire***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (571)-272-6705. The examiner can normally be reached on Monday – Thursday from 10:00 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (571) 272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The fax phone number for the organization where this application or proceedings is assigned are as follows:

(571) 273-8300      (Official Communications; including After Final  
Communications labeled "BOX AF")

(571) 273-6705      (Draft Communications)

/Mary Cheung/  
Primary Examiner, Art Unit 3694  
February 16, 2008